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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,911	03/28/2001	Daniel Crosson	10006946-1	4361

7590 08/02/2004

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/819,911	<b>Applicant(s)</b> CROSSON, DANIEL	
	<b>Examiner</b> Thong H Vu	<b>Art Unit</b> 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/28/01</u> . | 6) <input type="checkbox"/> Other: _____  |

1. Claims 1-28 are pending.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-28 are rejected under 35 U.S.C. § 102(e) as being anticipated by Voit [6,539,015 B1].

3. As per claim 1, Voit discloses a method for internet protocol (IP) address selection, comprising the steps of:

assigning a single domain name to a set of server IP addresses, receiving a request for the domain name from a client IP address, retrieving a set of IP routes linking the server IP addresses and the client IP address [Voit, a single domain name address, col 8 lines 58-64; col 29 line 57-col 30 line 32; col 31 lines 3-16; servers connect to network, col 9 lines 64-67; IP address, col 11 lines 50-67; col 12 lines 1-35; col 13 lines 5-47, col 14 lines 1-14]; and

selecting an IP route from the set of routes which meets predetermined criteria [Voit, interconnected routers, col 9 lines 50-62; based on predetermined criteria and directing the establishment of a communication link, col 31 lines 3-16].

4. As per claim 2, Voit discloses retrieving the set of IP routes from a cache database [Voit, database, col 12 lines 49-64].
5. As per claim 3, Voit discloses retrieving the set of IP routes from an IP routes database [Voit, database, col 12 lines 49-64].
6. As per claim 4, Voit discloses retrieving the set of IP routes [Voit, addresses, col 11 lines 50-67; col 12 lines 1-25; col 13 lines 5-17] from a set of routers (or servers) using a BGP protocol as inherent features of gateway [Voit, gateway, firewall col 10 lines 21-33; col 11 lines 7-17].
7. As per claim 6, Voit discloses retrieving the set of IP routes from a set of routers using a Telnet protocol as inherent features of routers.
8. As per claim 7, Voit discloses selecting the IIP route from the set which has a shortest AS path (Autonomous System) as inherent features of routers.
9. As per claim 8, Voit discloses selecting the IP route from the set which has a lowest origin type as inherent features of DNS [Voit, Domain name server, col 12 lines 49-64].

10. As per claim 9, Voit discloses selecting the IP route from the set which has a lowest MED (Multi-Exit-Disc) as inherent features of DNS [Voit, Domain name server, col 12 lines 49-64].

As per claim 10, Voit discloses selecting the IP route from the set equal to a default IP address as inherent features of IP address.

11. As per claim 11, Voit discloses storing the IP routes in a cache database [Voit, database, col 12 lines 49-64].

12. As per claim 12, Voit discloses storing the IP routes in an IP routes database [Voit, database, col 12 lines 49-64].

13. As per claim 13, Voit discloses defining an enhanced address resource record, including a domain name, a list of corresponding servers and routers, router retrieval parameters, a default client/server IP route, and timeouts [Voit, database, col 12 lines 49-64].

14. As per claim 14, Voit discloses transmitting an IP address from the set of server IP addresses which corresponds to the selected IP route [Voit, selective routing services, col 12 lines 35-48].

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15. Claims 15-17,19-24 contain the similar limitations set forth of claims 1-4,6-14.

Therefore, claims 15-17,19-24 are rejected for the similar rationale set forth in claims 1-4,6-14.

16. Claims 25-27 contain the similar limitations set forth of claims 1,2,12 respectively.

Therefore, claims 25-27 are rejected for the similar rationale set forth in claims 1,2,12.

17. As per claim 28, Voit discloses a domain name system server includes an enhanced address resource record storing the single domain name, a list of the servers and routers, a set of router retrieval parameters, a default IP router and timeout; and the domain name system server accesses the retrieval parameters in order to select the IP routes [Voit, a single domain name address, col 8 lines 58-64; col 29 line 57-col 30 line 32; col 31 lines 3-16; servers connect to network, col 9 lines 64-67; IP address, col 11 lines 50-67; interconnected routers, col 9 lines 50-62; selective routing services, col 12 lines 35-48].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 5,18 are rejected under 35 U.S.C. § 103 as being unpatentable over Voit [6,539,015 B1] in view of Ramanathan et al [Ramanathan 6,182,136 B1].

19. As per claims 5,18 Voit discloses a single domain environment includes a variety of servers and routers, gateway [Voit, a single domain name address, col 8 lines 58-64; col 29 line 57-col 30 line 32; col 31 lines 3-16; servers connect to network, col 9 lines 64-67; IP address, col 11 lines 50-67; col 12 lines 1-35 col 13 lines 5-47, col 14 lines 1-14].

However Voit does not explicitly detail retrieving the set of IP routes from a set of routers using an SNMP protocol.

Ramanathan discloses an Internet environment wherein the ISPs usually manage a single domain and using SNMP with the router [Ramanathan, col 24 lines 17-50]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the router using SNMP over Internet as taught by Ramanathan into the Voit's apparatus in order to utilize the routers. Doing so would enhance the capability of routers to handle traffic over Internet.



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20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

***Thong Vu***  
***Patent Examiner***  
***Art Unit 2142***

A handwritten signature in black ink, appearing to read 'Thong Vu', with a long horizontal stroke extending to the right.